

TECH CENTER 1600/2900 Docket No. ORT-1440

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Zhang et al

Serial No.: 09/870,338

Art Unit: 1636

Filed

: May 30, 2001

Examiner: Katcheves, K.T.

For

: NEUROBLASTOMA CELL LINES EXPRESSING THE alpha2delta SUBUNIT OF CALCIUM CHANNELS AND METHODS THEREFORE

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Washington, D.C. 20231 on

Myra H. McCormack (Name of applicant, assignee, or Registered Representative)

Commissioner for Patents Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. \$1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered. This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in \$1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required. In accordance with \$1.129(a), this Information Disclosure Statement is being filed in connection with \square the first or second After Final Submission, therefore: Statement in Accordance with \$1.97(e) (attached); \Box orPlease charge Deposit Account No. 10-/ the fee of \$180.00 as set forth in \$1.17(p). In accordance with \$1.97(c), this Information \boxtimes Disclosure Statement is being filed after the period set forth in \$1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

Statement in Accordance with \$1.97(e) (attached); \boxtimes orPlease charge Deposit Account No. 10-/ the fee of \$180.00 as set forth in \$1.17(p). In accordance with \$1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with \$1.97(e) as set forth below and the fee of \$180.00 as set forth in \$1.17(p). Copies of each of the references listed on the \boxtimes attached Form PTO-1449 are enclosed herewith. Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT: In view of the voluminous nature of references \Box [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith. If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request. There are no listed references which are not in the \boxtimes English language.

Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D. Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/ORT1440/MHM. This form is submitted in triplicate. Respectfully submitted, Myra H. McCormack Reg. No. 36602 Attorney for Applicants Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 (732) 524-6932 DATED: 5/30/03	المما	those listed references which are not
Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/ORT1440/MHM. This form is submitted in triplicate. Respectfully submitted, Myra H. McCormack Reg. No. 36602 Attorney for Applicants Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 (732) 524-6932	in the English language is	as follows:
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)
Sheet 1 of 1

a valid OMB control number
09/870,338
5/30/01
Zhang, S.P.
1636
Katcheves, K.T.
ORT-1440

				U.S. PATENT DOCUMENTS				
Examiner Cite			Cite	U.S. Patent Doc	Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		6,013,474	A	Ellis et al	01/11/2000	A.		
		6,090,631	A	Catterall et al	07/18/2000	750		
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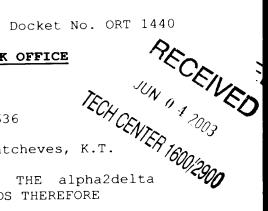
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Signature	in the second se		w line through citation if not in conformance

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Unique citation designation number, 2 See attached Kinds of U.S. Patent Documents, 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

: Zhang, S.P. et al Applicants

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Myra H. McCormack or Registered Representative) (Name of applicant, assigned

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STATEMENT UNDER 37 C.F.R. §1.97(e)

In accordance with 37 C.F.R. §1.97(e), certification is hereby made that:

Each item of information contained in the information \boxtimes disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement; or

	No item of information contained in the Information	on
Disclosure	Statement was cited in a communication from a fore	eign
patent off:	ce in a counterpart foreign application, and, to t	the

knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement, was known to any individual designated in \$1.56(c) more than three months prior to the filing of this Information Disclosure Statement. Myra H McCormack Reg. Nb. 36602 Attorney for Applicants Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 (732) 524-6932 DATED: 5/30/63 - 2 -

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SUBMISSION UNDER MPEP 609 D

Page 1 of 1

Application Number	09/870,338
Filing Date	5/30/2001
First Named Inventor	Shang, S.P.
Group Art Unit	1636
Examiner Name	Katcheves, K.T.
Attorney Docket Number	ORT-1440

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